

### ***Works with U.S. Department of Labor to Cut Through Red Tape***

WASHINGTON— Congresswoman Louise Slaughter (NY-28) today said that the process to allow guest workers to help on local farms must be streamlined and made easier for the sake of New York's farmers and the Upstate economy.

Today she sent a letter to U.S. Department of Labor Secretary Hilda Solis following up on months of work to assist Western New York seasonal farmers obtain the labor they need in advance of this year's harvest season.

In March, Slaughter met with local farmers and the Department of Labor in her Washington office to begin a dialogue that will ease the process for local farmers.

**“According to farmers in my district, many who have participated in the program for decades, the H-2A program has become increasingly difficult to use as a result of the multiple changes that have occurred in the past five years,” Slaughter wrote today. “More specifically, they have found that the program has become more cumbersome with much higher rates of denials and deficiencies being issued. Furthermore, they expressed concern about excessive time delays, paperwork burdens, and confusion with both growers and administrators of the program. New York farmers would benefit from more clarity and consistency in the review of their applications. I respectfully request that U.S. Department of Labor (DOL) take dedicated actions to provide consistent guidance and timely processing of H-2A applications for producers and growers and that any outstanding New York H-2A applications be reviewed to immediately remedy any problems and/or delays in their processing.”**

In the past five years, changes in procedures have caused delays and processing problems often at the expense of farmers. In just the past year there has been an abnormally large number of deficiencies and denials of H-2A certifications. Many of these deficiencies and denials have involved requests similar to those approved in past years and have forced farmers, in desperate need of workers, to engage in costly, stressful, and time consuming administrative appeals. This is a huge burden on the farmer, especially when most of these appeals have been ruled in favor of the farmer.

Agriculture is an important industry for the Empire State and the leading economic driver in Upstate New York. New York has a diverse agricultural sector ranking second in the nation for apple production, third in the nation for production of grapes for juice and wine, and fourth in the production of several key vegetable crops including cucumbers and snap beans. Many of these crops, including apples, strawberries and many vegetables rely on seasonal workers, many of whom come to the United States temporarily to assist with the harvest season.

The efficient administration of the H-2A program is a matter of saving American jobs. It is estimated that for every farm owner and farm employee, there are three jobs directly related to agriculture in off-the-farm employment, with many of these positions held by American workers. In New York, this means 59,000 on-farm jobs and over 150,000 related off-the-farm jobs are reliant on a reliable H-2A program.

Slaughter has worked with a coalition of local growers and members of the agricultural community. Their comments on Slaughter's effort are included below:

□

### ***New York Farm Bureau***

"New York Farm Bureau appreciates Congresswoman Slaughter's continual leadership on the administration of the H2A program," said Dean Norton, President of New York Farm Bureau. "Following up on a productive conference call with several of our apple and vegetable farmers earlier this spring, Congresswoman Slaughter is taking the initiative to contact the Secretary of the Department of Labor and express our growers' frustrations at the continual delays in utilizing the H2A program. This program is costly to use and contains many layers of red tape. To keep adding unnecessary bureaucratic delays and requests for additional last-minute information isn't acceptable if we are to succeed in harvesting our fresh, locally grown fruits and vegetables this year."

### ***New York State Horticultural Society***

"There is no task as rewarding or necessary as producing the food we place upon our tables on a daily basis. As a Nation we have been blessed with many advantages of soil, water and climate. It takes many hands to produce this bounty and it is the role of good government to stand ready to support the justifiable needs of this enterprise to do this task," said Paul Baker

Executive Director of the New York State Horticultural Society and a constituent of Congresswoman Slaughter's. "The NYS Horticultural Society stands solidly behind the efforts of Congresswoman Louise Slaughter in her efforts to expedite the laws of this land in a way to provide agriculture the legal work force necessary to carry on this task. It is refreshing to see the quality work that good government produces. In this age of negative press on some Congressional offices we should be highlighting the positive so that we all see the value of these public servants."

### ***New York Apple Association, Inc.***

"Apple growers across New York State are busy tending to over 50, 000 acres of orchards, and investing millions of dollars to grow this year's crop, without any certainties that they will have a legal and dependable supply of harvest labor," said Jim Allen, President of the New York Apple Association, Inc. "It is estimated that over 8,500 workers will be needed to pick apples in NYS. Presently the H2-A workforce can not come close to meeting the demands, and any interruption to the labor supply will jeopardize New York's Apple crop this fall. We applaud and thank Congresswomen Slaughter for her attention to this matter."

### ***U.S. Apple Association***

"USApple applauds Congresswoman Slaughter for her advocacy on behalf of our growers," said Diane Kurrle, Vice President of Public Affairs at the U.S. Apple Association. "They need a guestworker program they can rely on to pick their apples on time when they are at their delicious peak. Each harvest worker supports three to four full-time positions so these jobs are the life blood of many rural communities."

### **Full Text of Slaughter's letter to Secretary Solis**

June 14, 2011

The Honorable Hilda L. Solis

Secretary  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Dear Secretary Solis:

Thank you for the leadership and dedication you have shown to promote and develop positive labor conditions for all Americans. I respectfully request that U.S. Department of Labor (DOL) take dedicated actions to provide consistent guidance and timely processing of H-2A applications for producers and growers and that any outstanding New York H-2A applications be reviewed to immediately remedy any problems and/or delays in their processing.

New York State has a diverse agricultural sector ranking second in the nation for apple production, third in the nation for production of grapes for juice and wine, and fourth in the production of several key vegetable crops including cucumbers and snap beans. Agriculture is an important industry for our state and the number one economic driver in Upstate New York.

Obtaining a reliable and useable workforce unfortunately has been continually challenging for farms in New York. Despite higher unemployment rates, farms continue to see a decrease in the availability of workers to plant, pick and cultivate their fields. The H-2A program is crucial for farms in New York because it is the most viable option for obtaining a useable workforce.

According to farmers in my district, many who have participated in the program for decades, the H-2A program has become increasingly difficult to use as a result of the multiple changes that have occurred in the past five years. More specifically, they have found that the program has become more cumbersome with much higher rates of denials and deficiencies being issued. Furthermore, they expressed concern about excessive time delays, paperwork burdens, and confusion with both growers and administrators of the program.

New York farmers would benefit from more clarity and consistency in the review of their applications. This would ensure family farms can remain viable and can continue providing local foods to underserved areas and diminish their dependence on foreign food sources. Thank you for your consideration of this important matter.

Sincerely,

Louise M. Slaughter

*Member of Congress*

**PUBLISHED JUNE 14, 2011**